MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

JUNE 3, 2014

INVOCATION
Pastor Dave Brogren gave the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Patino called the meeting to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Green, Orach, Zuniga and Mayor Patino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Community Development Appel, Deputy City Manager Barnhard, Police Provisional Manager Hansen, City Librarian Housel, Utilities Engineer Kahn, Deputy City Manager Lara, Police Chief Martin, Fire Chief Orr, Director of Recreation and Parks Posada, Principal Civil Engineer Springer, Project Manager Stockton, Director of Utilities Sweet, Director of Administrative Services Visé, Director of Public Works/City Engineer Whitehead, and Deputy City Clerk Cleary.

1. PROCLAMATIONS/PRESENTATIONS:

A. PROCLAMATION – LAW ENFORCEMENT TORCH RUN FOR SPECIAL OLYMPICS WEEK
Councilmember Green presented Police Officer Nathan Totorica with a Proclamation recognizing June 2-6, 2014 as the week of the Law Enforcement Torch Run with the Special Olympics.

B. RETIREMENT OF DIRECTOR OF PUBLIC WORKS
Councilmember Orach read Resolution No. 2014-57 recognizing and commending Director of Public Works Whitehead for more than 22 years of service with the City of Santa Maria, and congratulating him on his retirement.

Resolution No. 2014-57 was adopted on motion by Councilmember Orach, seconded by Councilmember Boysen, and carried on the following vote:

AYES:	Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2014-57 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING DAVID J. WHITEHEAD, PE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER FOR HIS YEARS OF DEDICATED SERVICE.

Mr. Whitehead thanked the City for changing his life and said he was grateful for the opportunity to have such a rewarding career along with so many wonderful connections in the community.

Councilmember Boysen thanked Mr. Whitehead for his dedication to the department.

City Manager Haydon recalled specific projects Mr. Whitehead worked on including state water and the facilities involved in working with state water; parks; bikeways; the Abel Maldonado Youth Center; traffic, roads, and streets; signalization; and several award-winning projects. City Manager Haydon thanked Mr. Whitehead for his service and announced Principal Civil Engineer Shad Springer, would be the Acting Public Works Director until further notice.

Mayor Patino, a member of the Santa Barbara County Association of Governments, thanked Mr. Whitehead for helping to clarify information on some of their agenda items, and for all he had done for the City.

C. RETIREMENT OF DEPUTY CITY MANAGER
Mayor Patino read Resolution No. 2014-58 recognizing and commending Deputy City Manager Lara for 15 years of full-time service to the City of Santa Maria, and congratulating her on her retirement.

Resolution No. 2014-58 was adopted on motion by Mayor Patino, seconded by Councilmember Orach, and carried on the following vote:

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Resolution No. 2014-57 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, COMMENDING DEPUTY CITY MANAGER ALICIA I. LARA FOR HER 15 YEARS OF DEDICATED SERVICE.

Ms. Lara thanked everyone for their support saying City staff had been the best she had ever worked with, and she thanked City Manager Haydon for his inspiration.

City Manager Haydon thanked Ms. Lara for her service to the City and her long hours of dedication managing the City's Human Resources activities smoothly, particularly given the small number of staff members in the division who are responsible for the City's more than 700 employees.

2. PUBLIC COMMENT PERIOD (NOT TO EXCEED A TOTAL OF 15 MINUTES):
Anthony Morales, representing Santa Maria Fire Fighters Local #2020, thanked the City for inviting him and his co-workers to attend a staff meeting with the department. He said he appreciated the collaboration and support.

Melissa Biliardi, President and Founder of Help 4HD International - a group that supports people with Huntington's Disease, invited the community to a medical symposium at the Santa Maria Inn on Saturday, July 19th from 9:00 a.m. to 5:00 p.m. The cost of the symposium is $20 and will include lunch. Various organizations will be helping to fund the event.

3. CONSENT CALENDAR:
Councilmember Zuniga requested that Item 3K be pulled for comment.

Item 3K – Professional Services Agreement with DUDEK
Councilmember Zuniga asked for clarification on authorizing the Consultant to generate the not-to exceed cost of $75,000 in fees for the optional task based on the rate schedule.

Utilities Director Sweet responded the optional tasks were for surveying services and the $75,000 is the cap.

Consent Calendar Items 3A through 3K were approved on motion by Councilmember Boysen, seconded by Councilmember Zuniga, and carried on the following vote: 5-0

AYES: Councilmembers Boysen, Green, Orach, Zuniga, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

A. ORDINANCES
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES
The Minutes of the Regular City Council Meeting of May 20, 2014, were approved as amended.

C. 2014-16 PROPOSED BUDGET
The City Council received the proposed 2014-16 Budget, directed staff to distribute the budget document, and set the time for a public hearing at the next regular City Council meeting on June 17, 2014.

D. WARRANTS
Warrant Nos. 186513 to 186780 totaling $1,434,407.98 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant No. 185820 was cancelled.

E. PAYROLL
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. ALCOHOLIC BEVERAGE LICENSE
The City Council made a determination that public convenience would be served in the matter of the issuance of a Type 20 (off-sale beer and wine) alcoholic beverage license for sale of packaged beer and wine at Vallarta Supermarket, 1482 South Broadway, and made additional findings.

G. UNDERGROUND UTILITY DISTRICT PROJECTS
Resolution No. 2014-59 was adopted establishing the priorities for new Underground Utility District projects under the PG&E Rule 20A Program to include: 1) Civic Center Underground Utility District; 2) South Miller Street, Boone Street to Barcellus Avenue; 3) East Donovan, US 101 to Broadway; 4) West Stowell Road, Blosser Road to Broadway; 5) East Stowell Road, US 101 to Broadway; 6) West Donovan Road, Blosser Road to Broadway.

Resolution No. 2014-59 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING A PRIORITY LIST FOR FUTURE UNDERGROUND UTILITY DISTRICTS IN THE CITY OF SANTA MARIA.

H. CALL FOR BIDS
The City Council gave approval to call for bids on the plans and specifications for Bid No. 2015/01, Street Maintenance Chip Seal.

I. WATER MANAGEMENT PLAN
Resolution No. 2014-60 was adopted approving the Santa Barbara Countywide 2013 Integrated Regional Water Management Plan and authorizing and directing the Director of Utilities to enter into extensions and modifications to the Integrated Regional Water Management Plan, consistent with terms of the plan.

Resolution No. 2014-60 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ADOPTING THE SANTA BARBARA COUNTY INTEGRATED REGIONAL WATER MANAGEMENT PLAN 2013.

J. AGREEMENT WITH HEALTH SANITATION SERVICE, INC.
Resolution No. 2014-61 was adopted authorizing the Director of Utilities to enter into a short-term extension of the current agreement with Health Sanitation Service, Inc., for processing commingled recyclables for the City of Santa Maria.

Resolution No. 2014-61 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF UTILITIES TO EXTEND THE CURRENT AGREEMENT WITH HEALTH SANITATION SERVICE, INC.

K. PERCOLATION POND EXPANSION DESIGN
Resolution No. 2014-62 was adopted authorizing the Director of Utilities to enter into a Professional Services Agreement with Dudek for the Percolation Pond Expansion Design Project for the wastewater treatment plant and enter into extensions and modifications consistent with the terms of the Agreement in order to carry out the project.

Resolution No. 2014-62 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AUTHORIZING THE DIRECTOR OF UTILITIES TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DUDEK FOR THE PERCOLATION POND EXPANSION DESIGN PROJECT FOR THE WASTEWATER TREATMENT PLANT AND ENTER INTO EXTENSIONS AND MODIFICATIONS CONSISTENT WITH THE TERMS OF THE AGREEMENT IN ORDER TO CARRY OUT THE PROJECT.

PRESENTATION:

4. OPEN SPACE MANAGEMENT PLAN FOR LOS FLORES RANCH. Mayor Patino moved this item to the end of the meeting agenda.

APPOINTMENTS:

5. APPOINTMENTS TO ALL-AMERICA CITY COMMITTEE
Deputy City Clerk Cleary gave a presentation as detailed in the Council Agenda Report indicating the City Council would be making two appointments to the All-America City Committee. With the recent resignation of Bud Narachi and Karen Sanchez from the Committee, there were two vacancies to fill unexpired terms ending in January 2015. Nominations to this Committee are made by individual

Councilmembers, appointments are made by the Mayor with ratification by the City Council. Mayor Patino and Councilmember Orach will make the nominations. Two new applications were received from Rebecca Carey and Michelle Huitron.

Mayor Patino nominated Rebecca Carey.

Councilmember Orach nominated Michelle Huitron.

Rebecca Carey and Michelle Huitron were appointed to the All-America City Committee to fill unexpired terms ending in January 2015 on motion by Mayor Patino, seconded by Councilmember Orach, and carried on the following vote (5-0) as follows:

AYES: Councilmembers Boysen, Green, Zuniga, Orach, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

Michelle Huitron and Rebecca Carey were acknowledged in the meeting audience.

PUBLIC HEARING:

6. AGGRESSIVE SOLICITATION ORDINANCE. Project Manager Stockton gave a presentation as detailed in the Council Agenda Report. Ms. Stockton said the purpose of the proposed ordinance was to prohibit aggressive behavior as in making obscene gestures and behaving in an intimidating or anxiety inducing manner. The ordinance would also target solicitors of persons unable to freely avoid being solicited. And finally, the ordinance would prevent solicitation in specified places. Ms. Stockton said the ordinance would not target people exercising their first amendment rights by simply standing still and panhandling with a sign. The goal of passing the ordinance would be to educate the public to not give money to panhandlers, but instead, to donate to a local charity where their dollars would go into a service for the homeless instead of directly into the hands of a homeless person.

Director of Recreation and Parks Posada spoke of a staff committee that had been created to discuss options regarding the homeless. One suggestion from the group was to place something similar to a parking meter near places where panhandling is taking place. Instead of handing the panhandler money, a donor could put their money into the meter where it would be designated to a local charity. The locations of these meters would be determined by City staff.

Written Communications.
There were no written communications.

Public Comments.
Mayor Patino opened the public hearing, and after seeing no requests to speak, closed the hearing.

Council discussion.
Councilmember Orach spoke of his observations as a person who spends a considerable amount of time driving in the community. He expressed concern for panhandlers and the risk to them being in the medians and on the street. He also expressed concern for young panhandlers and the animals they may abandon upon leaving town.

Councilmember Zuniga said she was originally opposed to the ordinance. However, she learned more about how the ordinance would help prevent aggressive panhandling while educating the public. She also said she appreciated the idea of the meter so people who wanted to make a donation would be able to do so.

Councilmember Boysen recognized the difficulty of the task of creating a panhandling ordinance and reminded everyone about the resources in the community for the homeless. He said he believed the ordinance was more of an educational tool for the community, and he hopes it would help people understand the damage that could be done when giving money to panhandlers.

Councilmember Green remarked on the different types of homeless people in the community, those who really do need help and those who may be doing it as a hobby for extra money.

Mayor Patino commented on panhandlers outside local businesses who intimidate people entering and leaving the business and how it could be damaging to the economy in the City. She asked that Santa Maria residents help resolve the panhandler issue by not making contributions when approached for money.

Councilmember Orach asked Police Commander Hansen about the legalities of having panhandlers in the medians.

Commander Hansen responded he would have to look into the legalities of being in the median, but it was definitely against the law to be panhandling in the street.

City Manager Haydon said the meters would be placed near businesses where panhandling was taking place to see if they make a difference as the public becomes more educated and aware of outreach efforts.

Ordinance No. 2014-03 was introduced for first reading and continued to the next meeting for second reading and adoption to add new Chapter 6-10, Aggressive Solicitation, to the Santa Maria Municipal Code on motion by Councilmember Boysen, seconded by Councilmember Orach, on the following vote (5-0) as follows:

AYES: Councilmembers Boysen, Green, Zuniga, Orach, and Mayor Patino
NOES: None
ABSENT: None
ABSTAIN: None

REGULAR BUSINESS:

7. DOWNTOWN SPECIFIC PLAN AMENDMENT. Community Development Director Appel gave a presentation as detailed in the Council Agenda Report. He indicated that carwash owners whose business had been established in the 1960's came to the City requesting the opportunity to upgrade their business, providing a more efficient and visually desirable facility in the Bungalow District of the Downtown Specific Area.

Throughout the development of the Downtown Specific Plan (DTSP), a carwash operation was never listed as a permitted or conditionally permitted use in the Bungalow District. Primary uses in the DTSP were for residential and converted residential (offices and mixed use). To allow the owner to tear down and reconstruct their carwash, the DTSP would need to be amended. Staff is recommending amending the list of conditional uses so that carwashes would be allowed with approval of a Conditional Use Permit (CUP). Once amended, the owners would be required to submit a CUP application and fees to process a permit for the actual development of the site. Approving the amendment and allowing the owners to proceed would increase the property and sales tax as the owners would be making a significant investment in the property.

If the amendment were approved, the CUP could be processed immediately. He indicated that on July 2, 2014, the Planning Commission would make the recommendation to City Council to conduct the first reading at the August 5th City Council meeting; the second reading at the August 19th Council meeting; and the ordinance would take effect on September 18th.

Public input.
Aaron Smith spoke in support of the carwash owners. He thanked the City Council for considering the text amendment. He said he looked forward to seeing improvements to the carwash soon. The footprint would remain the same, but it desperately needed updates that would improve the appearance to the community.

Council discussion
Councilmember Boysen asked about the processing time and if the owners could proceed with the steps they needed to take after the amendment to the ordinance is officially adopted and during the 30-day effective period.

Community Development Director Appel responded the owners could proceed with the necessary steps while the ordinance goes into effect.

Councilmember Zuniga asked if the carwash owners were definitely planning to move forward once the amendment was made. And, if the amendment was approved and the owners did not proceed, would it open up the opportunity for another business to come in.

Mr. Appel explained the department has thought through that situation and the amendment could be cancelled anytime if it appeared the owners were not going to proceed.

Councilmember Boysen stated that any carwash business that came to the site being considered would have to be compatible with surrounding businesses and the area. He stated that whether the amendment update happened this year or in the future, the amendment needed to be made.

Mr. Appel responded that a two-year sunset could be set on the amendment that would allow the amendment to expire if the owners did not proceed with their plans.

Councilmember Boysen said if a sunset was needed it should be five to seven years out.

Direction to staff.
It was the consensus of the City Council to give the direction to proceed with the text amendment.

PRESENTATION:

4. OPEN SPACE MANAGEMENT PLAN FOR LOS FLORES RANCH.
This item was taken out of order at the request of Mayor Patino. Director of Utilities Sweet announced Utilities Engineer, Steve Kahn, would be giving the report along with Recreation and Parks Director Posada.

Utilities Engineer Kahn gave a report as detailed in the Council Agenda Report. Upon purchasing Los Flores in 2006, the City began planning an Integrated Waste Management Facility (IWMF). The facility would process solid waste using methods such as burying, recycling, reusing, composting and conversion technology.

The City also recognized recreational land uses of the property and developed it into its current recreational open space complete with a visitor's center. With the development of a landfill, about 1,500 acres will remain recreational and 200 acres will be engaged in landfill operations.

A team of professionals in the fields of recreational planning, engineering, environmental planning and design, solid waste and other industries assisted the City in the planning process. Key areas covered in the Open Space Management Plan (OSMP) include environmental mitigation, oil exploration and productions, a radio project tower with line of sight coverage, and recreation. Input from the public and the Recreation and Parks Department continues to be key to the development of the OSMP.

In November of 2013, the Planning Commission unanimously approved the plan. The design of the park ensured recreational uses would not interfere with landfill operations. The Army Corps of Engineers is helping with wetlands mitigation. Oil rights on the property are currently held by ERG Resources and collaborations with them have been very successful.

Recreation and Parks Director Posada reported on the recreational component of the park. More than 5,000 guests have registered with the ranch. Twenty Docents lead hikes and trail rides. Los Flores has also been the beneficiary of several hundred hours of volunteer labor from schools and civic groups who have planted trees, constructed birdhouses, assembled picnic tables, and cleared brush. Park activities include concerts, meets, bike rides, trail rides, nature walks and special outreach events.

Mr. Posada introduced Baxter Miller, from BLM Landscape Architecture, to give a presentation on the OSMP. Mr. Miller spoke about the uniqueness of the planning process for the site as all the possibilities for recreational use needed to be taken into account. Many of the opportunities the site offers cannot be found elsewhere in the area. The fact that Highway 101 is adjacent to much of the park was important to take into consideration. The proposed plan would not take place immediately, but over many years. The goal in creating the OSMP was to have a list of criteria to help future planners make decisions and to aid in maintenance and operations.

Mr. Kahn said they would continue to work on the final six permits necessary to complete the project.

Council Discussion
Councilmember Zuniga said she thought the project was a model project she hoped other communities could learn from.

Councilmember Orach spoke of past efforts the County made for a regional landfill and how necessary it has become to have a new landfill. He stated he appreciates the vision.

Councilmember Boysen said his concern has always been the compatibility of the oil companies and was pleased to see the City and oil companies working toward the same goal.

Direction to staff
Staff was directed to proceed in pursuing the final permits and go forward with the plan.

REPORT BY CITY MANAGER: City Manager Mr. Haydon announced items on the June 17th Council meeting agenda would include: a Resolution commending Bob Hatch, retiring CEO and President of the Chamber of Commerce; the Call for General Municipal Election; the 2nd reading of the aggressive solicitation Ordinance; adoption of the 2014-16 Biennial Budget; a radio agreement with Motorola. Mr. Haydon also reminded everyone the City is still accepting applications for the Block Grants Advisory Committee and the Library Board of Trustees. The deadline for applying for vacancies on these committees is June 30, 2014. One opening remains on the Commission for Senior Citizens, Area Agency on Aging and applications will be accepted until the position is filled.

ORAL REPORTS OF COUNCILMEMBERS AND OFFICERS (INCLUDING AB1234 REPORTS):
Councilmember Zuniga reported that she attended the Special Olympics tip a cop fundraiser at The Rock restaurant; the community stakeholders meeting regarding the aggressive solicitation ordinance; the dedication of the Community Action Commission's Maggie Espinoza Head Start Center; and the retirement party for Councilmember Green's wife where she presented Mrs. Green with a Proclamation.

Councilmember Orach had nothing to report.

Councilmember Green reported that he attended the Elks Rodeo Parade and a Fighting Back Board meeting. He also thanked Councilmember Zuniga for presenting the Proclamation at his wife's retirement party.

Councilmember Boysen reported that he attended the Central Coast Water Authority Board meeting.

Mayor Patino reported that she attended a traffic committee meeting; met with Melissa Biliarti regarding Help 4HD International; an agriculture symposium; a review of the solicitation Ordinance; the SMVCC mixer at the fire station; the Fighting Back SM Valley Board meeting; West Coast Kustoms Hall of Fame/Media dinner; St. Joseph's graduation at Allan Hancock College; the Memorial Day event at the Santa Maria cemetery; the Elk's Memorial service; Career Day at El Camino Junior High; Honors night at Santa Maria High School; the Scholarship Recipients Awards Ceremony at the SB Foundation; and the Law Enforcement Torch Run Ceremony.

ADJOURNMENT:
There being no further business before the City Council, Mayor Patino declared the City Council meeting adjourned at 8:30 p.m.

APPROVED:

June 17, 2014
Date

M. Beth Cleary
Beth Cleary
Deputy City Clerk of the City of Santa Maria
and ex officio Clerk of the City Council

Alice M. Patino
Mayor of the City of Santa Maria

ATTEST:

M. Beth Cleary
Beth Cleary
Deputy City Clerk